

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>THOMAS STRBAC,</b>	)	<b>CASE NO. 4:06CV2321</b>
	)	
<b>Petitioner,</b>	)	
	)	
<b>vs.</b>	)	<b>JUDGE ANN ALDRICH</b>
	)	
	)	<b>Magistrate Judge Nancy A. Vecchiarelli</b>
	)	
<b>THOMAS R. SNIEZEK, WARDEN,</b>	)	
	)	
	)	
<b>Respondent.</b>	)	<b><u>ORDER</u></b>

On September 25, 2006, Petitioner Thomas Strbac (“Strbac”) filed a petition for a writ of habeas corpus (Doc. No. 1) pursuant to 28 U.S.C. § 2241, alleging that the Bureau of Prisons improperly failed to credit him with four months towards the completion of his sixteen-month sentence. This court referred the case to Magistrate Judge Nancy A. Vecchiarelli for preparation of a Report and Recommendation (“R&R”). On December 12, 2006, Thomas Sniezek (“Sniezek”) filed a motion to dismiss the case. (Doc. No. 8.) Both parties filed briefs in support of their respective positions. Judge Vecchiarelli then submitted her R&R on January 8, 2007, recommending that the court grant Sniezek’s motion. Strbac filed objections to the R&R on January 12, 2007. (Doc. No. 15.)

The court finds, after careful *de novo* review of the Magistrate Judge's R&R and all other relevant documents, that the Magistrate Judge's conclusions are fully supported by the record and controlling case law. Accordingly, the court adopts as its own the Magistrate Judge's R&R.

(Doc. No. 13.) Sniezek's motion to dismiss is hereby granted with prejudice. The court further certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

/s/ Ann Aldrich

ANN ALDRICH

UNITED STATES DISTRICT JUDGE

**Dated: May 24, 2007**